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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/446,991	02/04/2000	HENRIK LEIMAND	CU-2078RJS	3241
23932	7590	11/22/2004	EXAMINER	
JENKENS & GILCHRIST, PC 1445 ROSS AVENUE SUITE 3200 DALLAS, TX 75202			YAN, REN LUO	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/446,991	LEIMAND, HENRIK	
	Examiner Ren L Yan	Art Unit 2854	X

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 September 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) 12-20 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 21 and 22 is/are rejected.
- 7) Claim(s) 21 and 22 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claims 21 and 22 are objected to because the recitation of “the plate cylinder” at the end of each claim lacks proper antecedent basis. None of the claims 21 and 22 positively recites a plate cylinder.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 21 and 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added limitation in each of claims 21 and 22 that requires lacquer to be applied exclusively to the plate cylinder does not find proper support in the specification. As shown in figures 1-4 of the present application, the plate cylinder 15 and the blanket cylinder 14 are in continuous rotational contact with each other throughout the inking or lacquering operations. Any ink or lacquer applied to the plate cylinder would inevitably be applied to the blanket cylinder as well through the continuous rotational contact. Accordingly, the requirement that the lacquer be applied exclusively to the plate cylinder as recited in claims 21 and 22 can not take place in reality and has no support in the original disclosure as filed.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over GB 2119711 in view of EP 0574124. The GB patent teaches the method of operating a printing unit in an offset printing machine having a convertible fluid applying unit which serves as both a lacquer applying unit and a dampening(moistening) unit for selective applying lacquer or dampening liquid as claimed including particularly the processes of engaging an inking unit (ink rollers 8) with a plate cylinder 6 when the fluid applying unit is used to apply dampening liquid using rollers 1 and 3-5 and of disengaging the inking unit 8 from the plate cylinder 6 when the fluid applying unit is converted to apply lacquer using rollers 1, 3-5, 5' and 7. Note that on page 2, line 21-24, the GB patent specifically teaches to separate the ink rollers 8 from the plate cylinder 6 during the lacquer applying operation in order to prevent lacquer deposit on the ink rollers 8. See Fig. 2, page 1, line 117 through page 2, line 24 in the GB patent. However, the fluid applying unit of the GB patent uses a fountain roller 1 and a doctor blade 12 combination to control the amount of fluid being applied to the printing cylinder(s) rather than a doctor blade chamber device as recited. EP 0574124 teaches a coating apparatus for use in a rotary offset printing machine the conventional use of a fluid applying device having a doctor blade chamber device the exact same structure as recited. EP 0574124 states that the use of such a doctor blade chamber device operating under negative pressure conditions, leakage of coating fluid is virtually non-existent, and the operating life of the end seals is substantially increased. See Figs. 4, 8 and 9, and column 2, line 43 through column 3, line 26 in EP 0574124 for example. In view of the teaching of EP 0574124, it would have been obvious to those having ordinary skill in the

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art to provide the fluid applying device in the GB patent with a doctor blade chamber device appropriately disposed as taught by EP 0574124 in order to enhance the fluid applying operation of the fluid applying device.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn(4,722,273) in view of EP 0574124. The patent to Jahn teaches the method of operating a printing unit in an offset printing machine including a cylinder 5 or 8, an inking unit 6, a lacquer applying unit 11 which applies lacquer and a dampening unit 7 which applies water. Jahn particularly teaches the processes of engaging the inking unit 6 with cylinder 5 when the dampening unit 7 is applying water to carry out offset printing and of disengaging the inking unit 6 from the plate cylinder 5 when the lacquer applying unit 11 is applying lacquer. See column 1, line 38 through column 2, line 4 and the paragraph bridging columns 3 and 4 in Jahn for details. However, neither the lacquer applying unit 11 nor the dampening unit 7 of Jahn uses a doctor blade chamber device to control the amount of fluid being applied as recited. EP 0574124 teaches a coating apparatus for use in a rotary offset printing machine the conventional use of a fluid applying device having a doctor blade chamber device the exact same structure as recited. EP 0574124 states that the use of such a doctor blade chamber device operating under negative pressure conditions, leakage of coating fluid is virtually non-existent, and the operating life of the end seals is substantially increased. See Figs. 4, 8 and 9, and column 2, line 43 through column 3, line 26 in EP 0574124 for example. In view of the teaching of EP 0574124, it would have been obvious to those having ordinary skill in the art to provide each of the lacquer applying unit and the dampening unit of Jahn with a doctor blade chamber device appropriately disposed as taught by EP 0574124 in order to enhance the fluid applying operation of the fluid applying device.

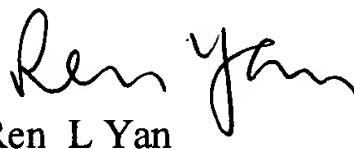
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
Nov. 17, 2004